

WHAT'S NEW IN WORKERS' COMPENSATION?

To continue to provide you with information related to workers' compensation, here is the 3rd edition of the Workers' Compensation Newsletter. We hope that you find this information useful. If you have any questions, please call Ayanna Smith at (301) 734-7488 or Denise Coleman at (301) 734-8350.

Hot topics:

OIG Audit of USDA Agencies: The Office of the Inspector General (OIG) conducted an audit in August 1999 as a follow up to an audit they performed in March 1993. The purpose of the 1993 audit was to evaluate USDA's Federal Employees' Compensation Act (FECA) program and make recommendations for improvement. The 1999 audit was conducted to evaluate the status of actions taken to implement those recommendations. The audit included six USDA agencies incurring the majority of the Department's FECA costs (APHIS and AMS were included). Here are some of the highlights of the 1999 audit:

- **OIG evaluated the implementation of the following recommendations made in 1993:**
 - ✓ Develop and utilize cost reduction strategies to reduce long-term claimant costs.
 - ✓ Perform comprehensive reviews of long-term claimant files.
 - ✓ Identify claimants with work capabilities.
 - ✓ Ensure that agency personnel implement departmental policy requiring verification of chargeback costs.
 - ✓ Establish procedures and controls to ensure claim forms are processed within the required timeframes.
- **Findings included:**
 - ✓ USDA-wide: 16% of the 2,000 workers' compensation cases are employees able to work.
 - ✓ USDA will pay \$51 million from 1999 to the end of their life expectancy to employees able to work.
 - ✓ 63% of claimants have an average of 8 weeks interruption in income because 73% of CA-1 and CA-2 forms go to the Department of Labor late (more than 14 days).
 - ✓ 60% of USDA claimants able to work alternative jobs received unsuccessful vocational rehabilitation.
 - ✓ 12% of USDA cases have 3rd party liability that is not pursued.
 - ✓ Since 1991, USDA's costs have increased 16% a year, while the number of cases has decreased 11%.
 - ✓ Since 1998, FSIS has removed 16 claimants from the workers' compensation rolls and reduced benefits for 21 claimants. Lifetime savings are estimated to be \$11.5 million.

We have asked OIG to identify all AMS and APHIS employees they found able to work, and are adapting the FSIS strategies to our long-term case management program as we continue its development.

Prevention is the Best Medicine: Whether employees regularly engage in manual labor, or spend all day sitting, back pain can strike in all types of jobs. Look at these common troublespots:

- Work station layouts - Poorly designed work stations can cause back and neck strain due to undue twisting and turning. Stations should be situated so workers are looking straight ahead most of the time. Phones should be to the immediate right of keyboards (for right-handed employees). Use overhead bins for infrequently used files.
- Chairs - Make sure employees' chairs are fully adjustable, providing proper lower back support and allowing workers to sit up straight with their feet flat on the floor. Don't assume employees know their chairs are adjustable.
- Safe lifting - For example: utilize simple equipment, such as conveyors, hand trucks, etc; maintain adequate clearances in aisles and access areas; enable loads to be held closer to the body by changing the shape of the object or container - or provide grips or handles.

USDA Target Center: According to a memorandum from Paul Fiddick, Assistant Secretary for Administration, dated April 10, 2000, Secretary Glickman has approved the recommendation for USDA agencies to establish central funding of accommodations for employees with disabilities nation-wide for fiscal year 2000. The Office of Operations will manage the Departmental Administration (DA) central fund. The amount of \$20,000 is set aside from DA appropriated funds to accommodate employees with disabilities.

Managers are encouraged to work with the TARGET Center to identify reasonable accommodations for employees experiencing disabling conditions. The Center staff is prepared to assist in determining what type of accommodation will meet the needs of the employee, vendor selection, and identification of any training needs. The TARGET Center is available to all USDA employees and is a valuable resource when making determinations regarding accommodations for injured employees. If you would like more information about the TARGET Center please call Ophelia Falls at (202) 720-2600.

Nurse Intervention: According to a memorandum from Dennis Mankin, Acting Director for Federal Employees' Compensation, dated April 14, 2000, the Department of Labor (DOL) is implementing a nurse intervention program during the continuation of pay (COP) period. Intervention will be done by telephone and limited to 30 days of case management. Early intervention depends upon prompt submission of claim forms by employing agencies. This intervention became available in all district offices on April 24, 2000.

Department of Labor Website: The Department of Labor, Employment Standards Administration, Office of Workers' Compensation Programs, Division of Federal Employees' Compensation, offers a website that contains valuable information related to workers' compensation. The address is:

<http://www.dol.gov/dol/esa/public/regs/compliance/owcp/fecacont.htm>

This website includes information on:

- ◆ District Office Addresses and Telephone Contacts
- ◆ Customer Service Commitment
- ◆ Federal Worker 2000 (which includes agency timeliness goals in submitting injury notices data and CA-1/2 results at the subagency level)

- ◆ FECA Program's Mission
- ◆ An Introduction to the FECA Program
- ◆ When Injured At Work (CA-11)
- ◆ Questions and Answers about the Federal Employee's Compensation Act (Pamphlet CA-550)
- ◆ Injury Compensation for Federal Employees (Pamphlet CA-810)
- ◆ Forms
- ◆ Requirements for Processing Pharmacy Bills
- ◆ Division of Federal Employees' Compensation (DFEC) Contingency Plan
- ◆ Resource Library

Upcoming events:

The 2nd Annual Federal Workers' Compensation Conference and Exposition is August 13-17 at Disney's Coronado Springs Resort, Lake Buena Vista, Florida. The purpose of this conference is to provide the most effective and efficient workers' compensation case management training available. Expert faculty from a variety of Federal Departments and the private sector will provide "Best Practices" utilized by their personnel to effectively and efficiently manage a Workers' Compensation Program. For additional information, please call Ayanna Smith at (301) 734-7488. Ms. Smith found last year's conference quite informative.

The USDA Graduate School is offering "Workers' Compensation and Disability Retirement" training on August 29-30 in Washington, DC. This course is a starting point for developing skills on how to handle Office of Workers' Compensation Program (OWCP) and federal disability retirement claims. For additional information, please call the USDA Graduate School at (202) 314-3400.